



Frederick P. Johnston, Jr.  
General Attorney, Law Department

September 30, 2010

**VIA E-FILING**

The Honorable Cynthia T. Brown  
Chief, Section of Administration  
Surface Transportation Board  
395 E Street, S.W., Room #100  
Washington, DC 20423-0001

227906

**RE: Notice of Exemption to Abandon a portion of the Camp Robinson Spur from M.P. 345.64 to the end of the Line at M.P. 349.68 near Levy, a total distance of 4.04 miles in Pulaski County, Arkansas (the "Line"); STB Docket No. AB-33 (Sub-No. 289X)**

Dear Ms. Brown:

Pursuant to the Board's exemption procedures for discontinuance of service of rail lines with no local business for at least two (2) years, (49 C.F.R. § 1152.50), I am hereby e-filing the above-referenced Verified Notice of Exemption, including a Certificate of Service and Publication.

Please file the Notice of Exemption in Docket No. AB-33 (Sub-No. 289X). Enclosed is a credit authorization voucher in the amount of ~~\$3,700.00~~ for the filing fee.

3,600.00  
Sincerely,

*[Handwritten signature]*

Office of the General Counsel

OCT 01 2010

Part of  
Public Record

**FEE RECEIVED**

OCT 01 2010

**SURFACE  
TRANSPORTATION BOARD**

Attachment

cc: All Concerned Parties

**FILED**

OCT 01 2010

**SURFACE  
TRANSPORTATION BOARD**

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**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**Docket No. AB-33 (Sub-No. 289X)**

**UNION PACIFIC RAILROAD COMPANY  
--ABANDONMENT EXEMPTION--  
IN PULASKI COUNTY, ARKANSAS  
(CAMP ROBINSON SPUR)**

---

**Notice of Exemption**

**UNION PACIFIC RAILROAD COMPANY  
Mack H. Shumate, Jr.  
Senior General Attorney  
101 North Wacker Drive, #1920  
Chicago, Illinois 60606  
312/777-2055 (Tel.)  
312/777-2065 (FAX)**

**Dated and filed: September 30, 2010**

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**Docket No. AB-33 (Sub-No. 289X)**

**UNION PACIFIC RAILROAD COMPANY  
--ABANDONMENT EXEMPTION--  
IN PULASKI COUNTY, ARIZONA  
(CAMP ROBINSON SPUR)**

---

**Notice of Exemption**

Union Pacific Railroad Company ("UP") submits this verified Notice of Exemption pursuant to 49 § C.F.R. 1152, Subpart F – Exempt Abandonments and Discontinuances of Service and Trackage Rights for an exempt abandonment of service on the Camp Robinson Spur from Milepost 345.64 to the end of the Line at Milepost 349.68 near Camp Robinson, a total distance of 4.04 miles in Pulaski County, Arkansas (the "Line").

**Proposed Consummation Date: 49 C.F.R. § 1152.50(d)(2)**

The abandonment and discontinuance are proposed to be consummated on or after November 19, 2010 (at least 50 days after filing the Notice of Exemption).

**Certification: 49 C.F.R. 1152.50(b)**

UP certifies that no local or overhead traffic has moved over the Line for at least two years. Therefore, there is no need to reroute any traffic. UP further certifies that no formal complaint filed by a user of rail service on the Line (or filed by a state or local governmental entity acting on behalf of such user) regarding cessation of service over the Line is pending either with the Board or any U.S. District Court, or has been decided in favor of the complainant within the two-year period.

**Additional Information Required: 49 C.F.R. 1152.22(a)(1)-(4), (7)-(8) and (e)(4)**

**(a) General.**

**(a)(1)** The railroad's exact name is Union Pacific Railroad Company.

**(a)(2)** UP is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105.

**(a)(3)** UP intends to abandon the Camp Robinson Spur from Milepost 345.64 to the end of the Line at Milepost 349.68, a total distance of 4.04 miles in Pulaski, Arkansas.

**(a)(4)** A map showing the location of the Line in relation to other rail lines, highways, and major roads in the area is attached as **Exhibit 1**.

**(a)(7)** The representative to whom correspondence regarding this abandonment and discontinuance should be sent is:

Mack H. Shumate, Jr.  
Senior General Attorney  
101 North Wacker Drive, #1920  
Chicago, Illinois 60606  
312/777-2055 (Tel.)  
312/777-2065 (FAX)

**(a)(8) ZIP Codes.** The Line traverses U.S. Postal Service Zip Code 72118.

**(e)(4) Rural and Community Impact.**

The right-of-way proposed for abandonment has minimal potential for public use. There are already sufficient roads and other forms of transportation in the area and the property most likely could not be used for recreational purposes.

The Line does not contain any reversionary property. Based upon information in UP's possession, the Line does not contain any federally granted right-of-way. Any

documentation in UP's possession with regard to the right-of-way will be made available to those requesting it.

After the proposed abandonment, the closest rail service would continue to be provided by UP at Levy on UP's Van Buren Subdivision main line. The Line lies in the northern portion of the Little Rock area. Little Rock is also served by the Little Rock & Western Railroad, the Little Rock Port Railroad, BNSF and Amtrak. Additionally, Barge service is available on the Arkansas River. The entire Camp Robinson Spur lies just several miles, via Arkansas Route 176 and other local roads, from Interstates 40 and 30.

No local traffic has moved over the Line during the past two years, and there is no overhead traffic or passenger service on the Line. No complaint regarding cessation of service has been filed, is pending, or has been ruled upon in favor of a complainant during the last two years.

A map of the Line is attached as **Exhibit No. 1**.

### **Labor Protection**

The interests of railroad employees will be protected by the conditions discussed in Oregon Short Line Railroad Co. -- Abandonment -- Goshen , 360 I.C.C. 91 (1979).

### **Certifications**

Attached as **Exhibit No. 2** is a Certificate of Service and Publication, pursuant to the notice requirements of 49 C.F.R. §§ 1152.50(d)(1), 1105.11 and 1105.12.

### **Environmental and Historic Report**

A copy of the Transmittal Letter that accompanied UP's combined Environmental and Historic Report ("EHR"), containing the information required by 49 C.F.R.

§§ 1105.7(e) and 1105.8, and delivered in accordance with 49 C.F.R. 1105.11, is attached as **Exhibit No. 3**. The original was e-filed with the Honorable Cynthia T.

Brown, Chief, Section of Administration, on July 19, 2010. The EHR provides that UP knows of no historic sites or structures on the Line.

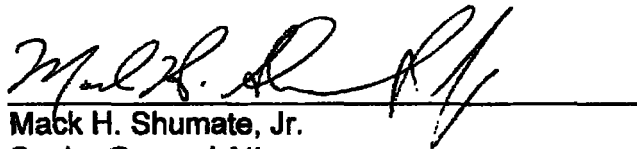
UP received confirmation from the Environmental Coordinator for the U.S. Fish and Wildlife Service by stamped notice dated September 21, 2010 that no federally listed endangered, threatened or candidate species are present on the Line. (See Exhibit No. 4).

UP received confirmation from the United States Department of Agriculture by letter received August 23, 2010 that the proposed abandonment will have no effect on Prime Farmland or Farmland of statewide Importance. (See Exhibit No. 5).

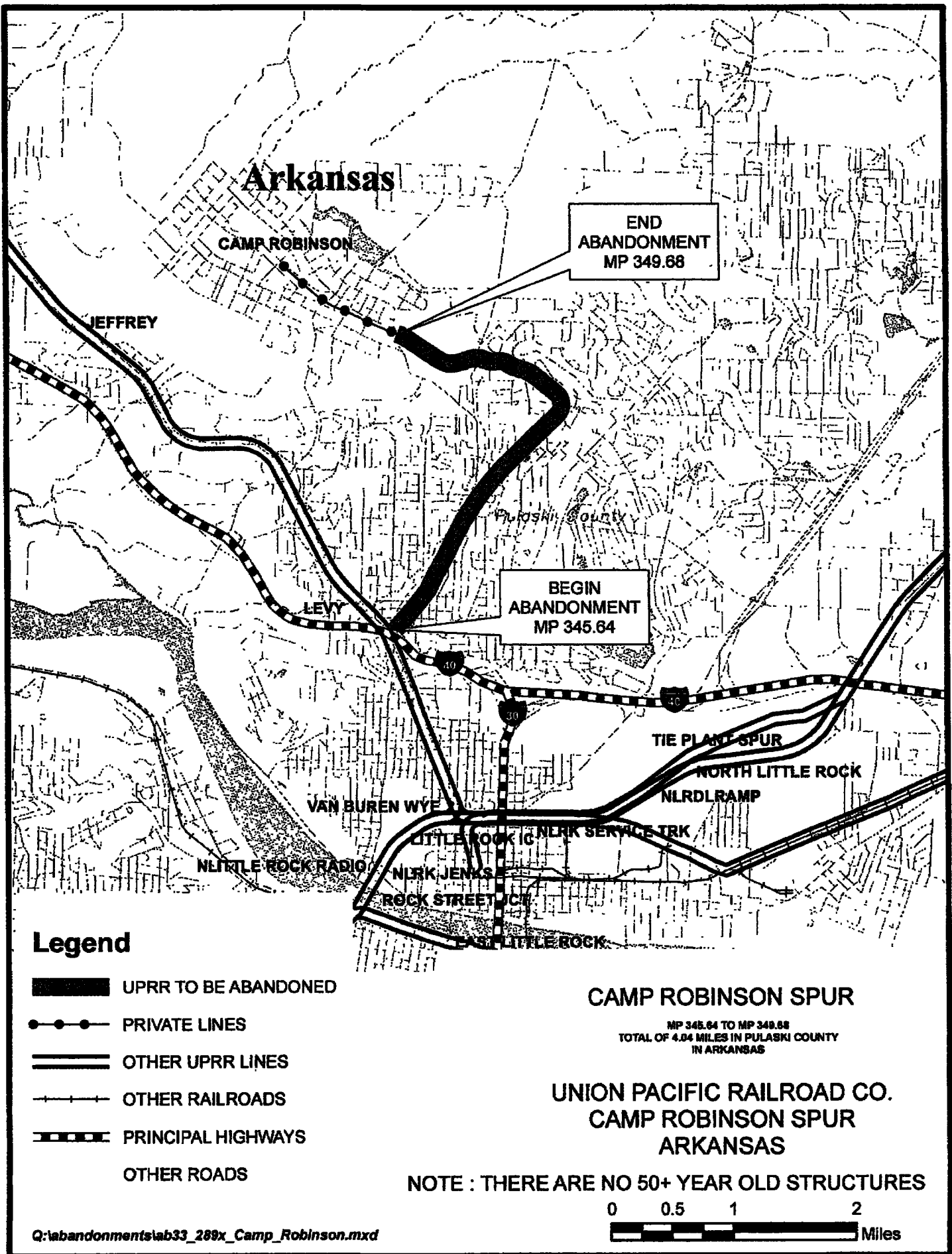
Dated this 30th day of September, 2010.

Respectfully submitted,

UNION PACIFIC RAILROAD COMPANY

A handwritten signature in dark ink, appearing to read "Mack H. Shumate, Jr.", is written over a horizontal line.

Mack H. Shumate, Jr.  
Senior General Attorney  
101 North Wacker Drive, #1920  
Chicago, Illinois 60606  
312/777-2055 (Tel.)  
312/777-2065 (FAX)



**DOCKET NO. AB-33 (SUB-NO. 289X)  
Camp Robinson Spur**

**CERTIFICATE OF SERVICE AND PUBLICATION**

**49 C.F.R. § 1152.50(d)(1) - Notice**

The undersigned certifies that on August 12, 2010 (at least 10 days before a Notice of Exemption is filed), written notice was given of Union Pacific's intent to use the exemption notice procedure to abandon the Camp Robinson Spur in Pulaski County in Arkansas, in Docket No. AB-33 (Sub-No. 289X). Written notice (a copy of which is attached hereto as **Attachment 1**) was served on the following:

Arkansas Public Service Commission  
1000 Center Street  
Little Rock, AR 72201

National Park Service  
Recreation Resources Assistance  
Division  
Midwest Region  
601 Riverfront Drive  
Omaha, NE 68102-4226

U.S. Dept. of Agriculture  
Chief of the Forest Service  
4th Floor, N.W. Auditors Bldg.  
14th St. & Independence Ave., SW  
Washington, DC 20250

Department of Defense  
Surface Deployment Distribution  
Command  
Transportation Engr. Agency  
Railroads for National Defense Program  
709 Ward Drive  
Scott Air Force Base, IL 62225

**49 C.F.R. § 1105.11 - Transmittal Letter For Applicant's Report**

The undersigned certifies that on July 19, 2010 (at least twenty (20) days before a Notice of Exemption is filed), a Combined Environmental and Historic Report pursuant to 49 C.F.R. §§ 1105.7 and 1105.8 was served in Docket No. AB-33 (Sub-No. 289X) for abandonment of the Camp Robinson Spur in Pulaski County in Arkansas, on the following:



- (1) State Clearinghouse (or alternate)
- (2) State Environmental Protection Agency
- (3) Head of each County
- (4) U.S. Environmental Protection Agency, Regional Office
- (5) U.S. Fish and Wildlife Service
- (6) U.S. Army Corps of Engineers
- (7) National Park Service
- (8) U.S. Natural Resources Conservation Service
- (9) The National Geodetic Survey
- (10) Other Agencies Consulted (As Listed)
- (11) State Historic Preservation Office

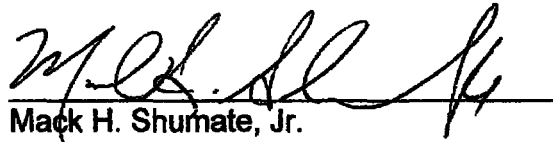
(The Certificate of Service attached to the Combined Environmental and Historic Report listed the names and addresses for the federal, state and local agencies.)

**49 C.F.R. § 1105.12 - Newspaper Notice**

The undersigned further certifies that a "Notice of Intent to Abandon or to Discontinue Rail Service" was published in the form prescribed by the Board for a Notice for Exemption (a copy of which is attached hereto as **Attachment 2**). The Notice was published one time in a major newspaper in the county in which the Line is located as follows:

<u>County</u>	<u>Newspaper</u>	<u>Date</u>
Pulaski	North Little Rock Times	August 19, 2010

Dated this 30th day of September, 2010.

  
Mack H. Shurnate, Jr.



**Mack H. Shumate, Jr.**  
Senior General Attorney, Law Department

August 12, 2010

Arkansas Public Service Commission  
1000 Center Street  
Little Rock, AR 72201

National Park Service  
Recreation Resources Assistance Division  
Midwest Region  
1709 Jackson Street  
Omaha, NE 68102

U.S. Dept. of Agriculture  
Chief of the Forest Service  
4th Floor, N.W. Auditors Bldg.  
14th St. & Independence Ave., SW  
Washington, DC 20250

Department of Defense  
Military Traffic Management Command  
Transportation Engr. Agency  
Railroads for National Defense Program  
720 Thimble Shoals Blvd., Suite 130  
Newport News, VA 23606-2575

**RE: Proposed Abandonment of Camp Robinson Spur from M.P. 345.64 to M.P. 349.68 near Levy, a total distance of 4.04 miles in Pulaski County, Arkansas (the "Line"); STB Docket No. AB-33 (Sub-No. 289X)**

To Whom It May Concern:

Please be advised that Union Pacific Railroad Company ("UP") expects to file with the United States Surface Transportation Board ("STB") a notice of an exempt abandonment on a portion of a line of railroad known as Camp Robinson Spur, near Levy in Pulaski County, extending from Milepost 345.64 to Milepost 349.68 a total distance of 4.04 miles (the "Line"). The Line traverses U.S. Postal Service zip code 72118.

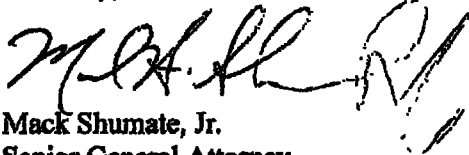
The "no business" exemption procedure will be used to abandon the Line, pursuant to the STB's abandonment regulations at 49 C.F.R. §1152.50. No local traffic has moved over the Line for at least two years and there is no overhead traffic on the Line. A Notice of Exemption to abandon service on the Line pursuant to 49 C.F.R. §1152.50 (no local traffic for at least two years) will be filed with the STB on or after August 23, 2010.

Based on information in UP's possession, the Line does not contain federally granted rights-of-way. Any documentation in UP's possession will be made available promptly to those requesting it.

August 12, 2010  
Page 2 of 2

A map showing the segment of Line to be abandoned is attached for your information.

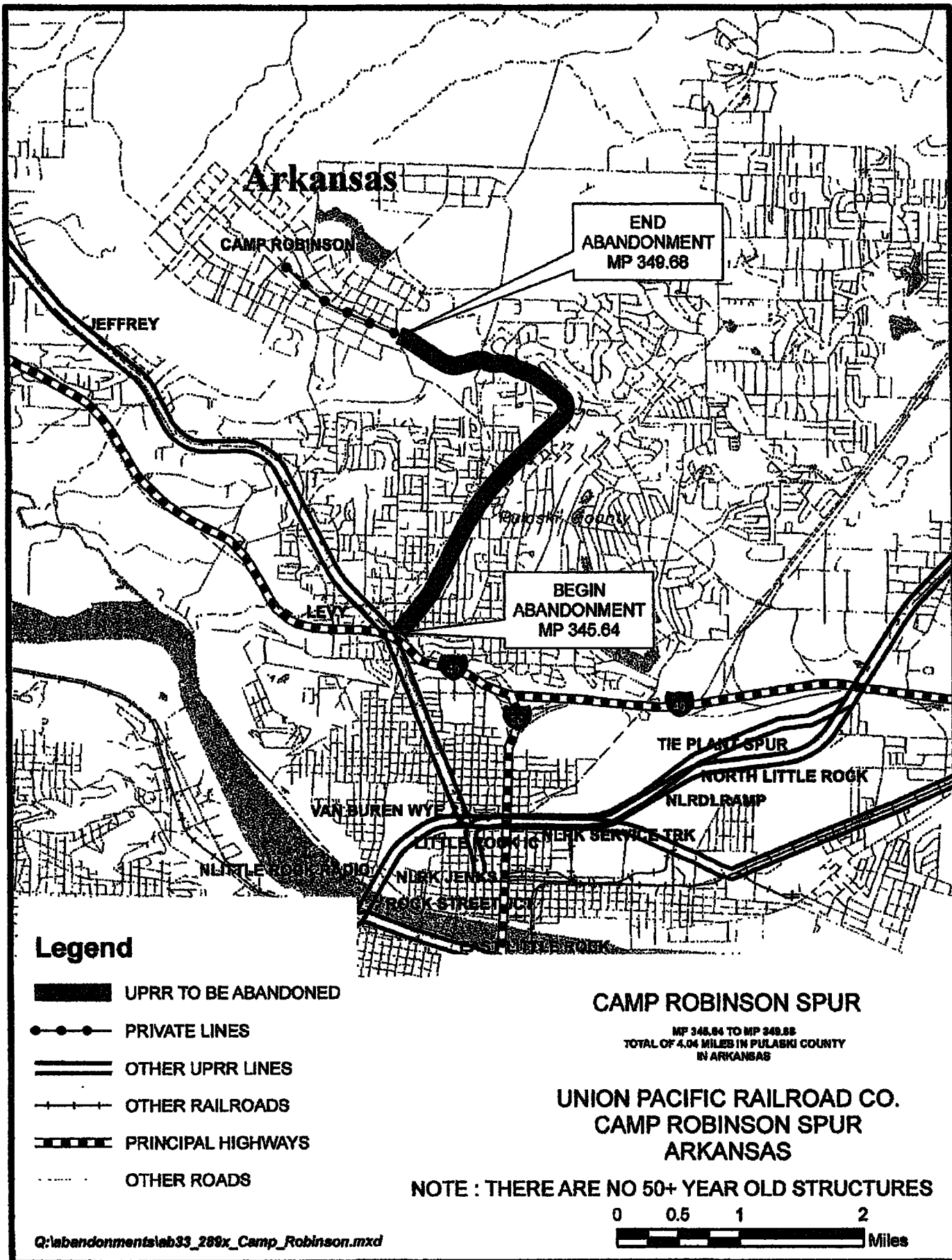
Sincerely,



Mack Shumate, Jr.  
Senior General Attorney

Encl.

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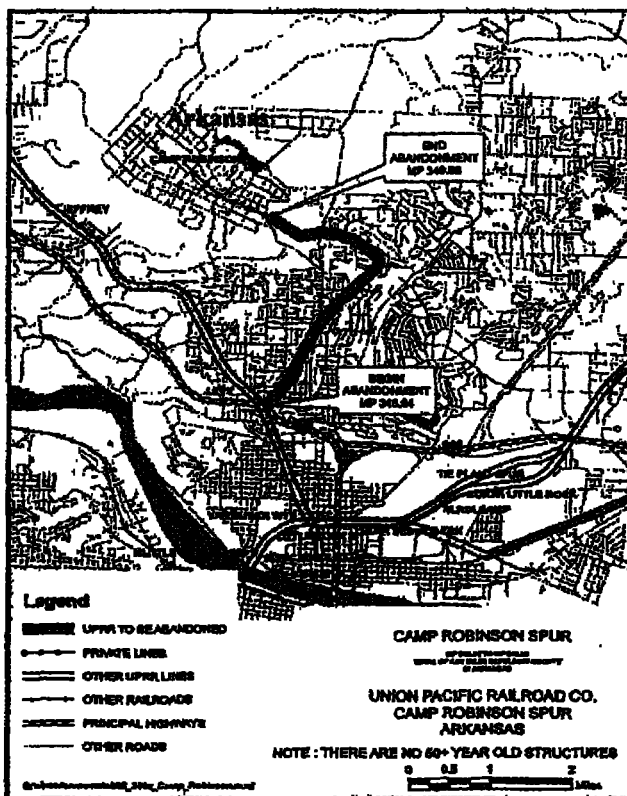
# **NOTICE OF INTENT TO ABANDON OR TO DISCONTINUE RAIL SERVICE**

UNION PACIFIC RAILROAD COMPANY ("UP") gives notice that on or after August 23, 2010, it intends to file with the Surface Transportation Board, Washington, D.C. 20423, a Notice of Exemption under 49 C.F.R. Part 1152, Subpart F - Exempt Abandonments - permitting the abandonment of a 4.04 mile line of railroad between railroad milepost 345.64, and railroad milepost 349.68, near Levy in Pulaski County, which traverses through United States Postal Service zip code 72118 in Pulaski County, Arkansas. The proceeding will be docketed as No. AB-33 (Sub-No. 289X).

The Board's Section of Environmental Analysis ("SEA") will generally prepare an Environmental Assessment ("EA"), which will normally be available twenty-five (25) days after the filing of the Notice of Exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Section of Environmental Analysis (SEA), Surface Transportation Board, Washington, DC 20423 or by calling that office at (202) 245-0295.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 395 E Street, SW, Washington, DC 20423 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on the applicant's representative. [See 49 CFR 1104.12(a).] Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Congressional and Public Services at (866) 254-1792. Copies of any comments or requests for conditions should be served on UP's: Mack Shumate, Jr., Senior General Attorney, 101 North Wacker Drive, #1920, Chicago, Illinois 60606 (312) 777-2055.

## **UNION PACIFIC RAILROAD COMPANY**





**Mack H. Shumate, Jr.**  
Senior General Attorney, Law Department

July 19, 2010

**VIA E-FILING**

The Honorable Cynthia T. Brown  
Chief, Section of Administration  
Surface Transportation Board  
395 E Street, S.W., Room #100  
Washington, DC 20423-0001

**RE: Petition for Exemption to Abandon of a portion of the Camp Robinson Spur from M.P. 345.64 to the end of the Line at M.P. 349.68 near Levy, a total distance of 4.04 miles in Pulaski County, Arkansas (the "Line"); STB Docket No. AB-33 (Sub-No. 289X)**

Dear Ms. Brown:

Attached for filing in the above-referenced docket is the Combined Environmental and Historic Report prepared pursuant to 49 C.F.R. §1105.7 and §1105.8, with a Certificate of Service, and a transmittal letter pursuant to 49 C.F.R. §1105.11.

Union Pacific anticipates filing a Petition for Exemption to Abandon the Line in this matter on or after August 8, 2010.

Sincerely,

*Mack Shumate, Jr.*

Attachment

cc: All Concerned Parties

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RECEIVED JUL 27 2010



Mack H. Shumate, Jr.  
Senior General Attorney, Law Department

July 19, 2010

RECEIVED

AUG - 2 PM '10

ARK FIELD OFFICE

**VIA E-FILE**

The Honorable Cynthia T. Brown  
Chief, Section of Administration  
Surface Transportation Board  
395 E Street, S.W., Room #100  
Washington, DC 20423-0001

**RE: Petition for Exemption to Abandon of a portion of the Camp Robinson Spur from M.P. 345.64 to the end of the Line at M.P. 349.68 near Levy, a total distance of 4.04 miles in Pulaski County, Arkansas (the "Line"); STB Docket No. AB-33 (Sub-No. 289X)**

Dear Ms. Brown:

Attached for filing in the above-referenced docket is the Combined Environmental and Historic Report prepared pursuant to 49 C.F.R. §1105.7 and §1105.8, with a Certificate of Service, and a transmittal letter pursuant to 49 C.F.R. §1105.11.

Union Pacific anticipates filing a Petition for Exemption to Abandon the Line in this matter on or after August 8, 2010.

Sincerely,

*Mack Shumate, Jr.*

No federally listed endangered,  
threatened or candidate species present

Attachment

cc: All Concerned Parties

O:\Abandonments\33-289X\STB-EHR LTR-071910.doc

*Margaret Horney*  
Environmental Coordinator  
U.S. Fish and Wildlife Service  
Log# 43421-2010-1A0964  
Sept 21, 2010  
Date



Natural Resources Conservation Service  
Room 3416, Federal Building  
700 West Capitol Avenue  
Little Rock, Arkansas 72201-3225

AUG 17 2010

Mack H. Shumate, Jr.  
Union Pacific Railroad Company  
Senior General Attorney  
101 North Wacker Drive, #1920  
Chicago, Illinois 60606

Dear Mr. Shumate:

This letter is in response to your request for information related to Prime Farmland and Farmland of Statewide Importance for the proposed Abandonment of a portion of the Camp Robinson Spure from M.P. 345.64 to the end of the Line at M. P. 349.68 near Levy, a total distance of 4.04 miles in Pulaski County, Arkansas (the "Line"); STB Docket No. AB-33. This activity will have no affect on Prime Farmland or Farmland of Statewide Importance. The area has been urbanized and no longer meets the criteria.

Should you have any questions or need additional information, please call me at (501) 301-3172 or email at [edgar.mersiovsky@ar.usda.gov](mailto:edgar.mersiovsky@ar.usda.gov).

Sincerely,

EDGAR P. MERSIOVSKY  
Assistant State Soil Scientist

Enclosure

cc:

Luis Hernandez, Soil Survey Region 16 Leader/State Soil Scientist, NRCS, Little Rock, AR

**RECEIVED**

AUG 23 2010

LAW DEPARTMENT  
UNION PACIFIC RR CO.



**FARMLAND CONVERSION IMPACT RATING  
FOR CORRIDOR TYPE PROJECTS**

<b>PART I (To be completed by Federal Agency)</b>	3. Date of Land Evaluation Request <b>7/19/10</b>	4. Sheet 1 of _____
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1. Name of Project <b>Union Pacific RR STB Docket No. AB-33</b>	5. Federal Agency Involved
2. Type of Project <b>Abandon a portion of Camp Robinson Spur</b>	6. County and State <b>Pulaski County, Arkansas</b>

<b>PART II (To be completed by NRCS)</b>		1. Date Request Received by NRCS <b>7/26/10</b>	2. Person Completing Form <b>Edgar Marslovsky</b>
3. Does the corridor contain some unique statewide or local important farmland? If no, this part does not apply. Do not complete additional parts of this form.		4. Acres Involved	5. Average Farm Size
6. Major Crops	7. Amount of Farmland As Defined in FPPA	8. Name of Land Evaluation System Used	
9. Name of Land Evaluation System Used	10. Date Land Evaluation Requested by NRCS		

<b>PART III (To be completed by Federal Agency)</b>	<b>Alternative Corridor For Segment _____</b>			
	<b>Corridor A</b>	<b>Corridor B</b>	<b>Corridor C</b>	<b>Corridor D</b>
A. Total Acres To Be Converted Directly				
B. Total Acres To Be Converted Indirectly, Or To Receive Services				
C. Total Acres In Corridor	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>PART IV (To be completed by NRCS) Land Evaluation Information</b>				
A. Total Acres Private And Unimproved Farmland				
B. Total Acres Statewide And Local Important Farmland				
C. Percentage Of Farmland In County Or Local Govt Unit To Be Converted				
D. Percentage Of Farmland In Govt Unit With Same Or Greater Relative Value				

<b>PART V (To be completed by NRCS) Land Evaluation Information: Relative Value Of Farmland To Be Converted Or Converted (Scale Of 0 - 100 Points)</b>					
<b>PART VI (To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))</b>	<b>Maximum Points</b>				
1. Area In Nonurban Use	15				
2. Perimeter In Nonurban Use	10				
3. Percent Of Corridor Being Farmed	20				
4. Protection Provided By State And Local Government	20				
5. Size Of Present Farm Unit Compared To Average	10				
6. Creation Of Nonfarmable Farmland	25				
7. Availability Of Farm Support Services	5				
8. On-Farm Investments	20				
9. Effects Of Conversion On Farm Support Services	25				
10. Compatibility With Existing Agricultural Use	10				
<b>TOTAL CORRIDOR ASSESSMENT POINTS</b>	<b>160</b>				

<b>PART VII (To be completed by Federal Agency)</b>					
Relative Value Of Farmland (From Part V)	100				
Total Corridor Assessment (From Part VI above or a local site assessment)	160				
<b>TOTAL POINTS (Total of above 2 lines)</b>	<b>260</b>				

1. Corridor Selected:	2. Total Acres of Farmlands to be Converted by Project:	3. Date Of Selection:	4. Was A Local Site Assessment Used?  YES <input type="checkbox"/> NO <input type="checkbox"/>
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5. Reason For Selection:

Signature of Person Completing This Part: \_\_\_\_\_ DATE \_\_\_\_\_

**NOTE: Complete a form for each segment with more than one Alternate Corridor**

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**CORRIDOR - TYPE SITE ASSESSMENT CRITERIA**

The following criteria are to be used for projects that have a linear or corridor - type site configuration connecting two distant points, and crossing several different tracts of land. These include utility lines, highways, railroads, stream improvements, and flood control systems. Federal agencies are to assess the suitability of each corridor - type site or design alternative for protection as farmland along with the land evaluation information.

- (1) How much land is in nonurban use within a radius of 1.0 mile from where the project is intended?

More than 90 percent - 15 points  
90 to 20 percent - 14 to 1 point(s)  
Less than 20 percent - 0 points

- (2) How much of the perimeter of the site borders on land in nonurban use?

More than 90 percent - 10 points  
90 to 20 percent - 9 to 1 point(s)  
Less than 20 percent - 0 points

- (3) How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than five of the last 10 years?

More than 90 percent - 20 points  
90 to 20 percent - 19 to 1 point(s)  
Less than 20 percent - 0 points

- (4) Is the site subject to state or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?

Site is protected - 20 points  
Site is not protected - 0 points

- (5) Is the farm unit(s) containing the site (before the project) as large as the average - size farming unit in the County?

(Average farm sizes in each county are available from the NRCS field offices in each state. Data are from the latest available Census of Agriculture, Acreage or Farm Units in Operation with \$1,000 or more in sales.)

As large or larger - 10 points  
Below average - deduct 1 point for each 5 percent below the average, down to 0 points if 50 percent or more below average - 9 to 0 points

- (6) If the site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?

Acreage equal to more than 25 percent of acres directly converted by the project - 25 points  
Acreage equal to between 25 and 5 percent of the acres directly converted by the project - 1 to 24 point(s)  
Acreage equal to less than 5 percent of the acres directly converted by the project - 0 points

- (7) Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?

All required services are available - 5 points  
Some required services are available - 4 to 1 point(s)  
No required services are available - 0 points

- (8) Does the site have substantial and well-maintained on-farm investments such as barns, other storage building, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?

High amount of on-farm investment - 20 points  
Moderate amount of on-farm investment - 19 to 1 point(s)  
No on-farm investment - 0 points

- (9) Would the project at this site, by converting farmland to nonagricultural use, reduce the demand for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?

Substantial reduction in demand for support services if the site is converted - 25 points  
Some reduction in demand for support services if the site is converted - 1 to 24 point(s)  
No significant reduction in demand for support services if the site is converted - 0 points

- (10) Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to nonagricultural use?

Proposed project is incompatible to existing agricultural use of surrounding farmland - 10 points  
Proposed project is tolerable to existing agricultural use of surrounding farmland - 9 to 1 point(s)  
Proposed project is fully compatible with existing agricultural use of surrounding farmland - 0 points

---

**VERIFICATION**

STATE OF NEBRASKA)

COUNTY OF DOUGLAS )


) ss:  
)

I, RAYMOND E. ALLAMONG, JR., Senior Manager Rail Line Planning of Union Pacific Railroad Company, declare under penalty of perjury, under the laws of the United States of America, that I have read the foregoing document and that its assertions are true and correct to the best of my knowledge, information and belief. I further declare that I am qualified and authorized to submit this verification on behalf of Union Pacific Railroad Company.

Dated at Omaha, Nebraska, this 11th day of May, 2010.

  
Raymond E. Allamong, Jr.

SUBSCRIBED AND SWORN TO  
before me this 11th day of  
May, 2010.

  
Notary Public

My Commission expires: \_\_\_\_\_

